



Please type a plus sign inside this box → ☐

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

PTO/SB/21 (08-00)

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/802,686

Filing Date March 9, 2001

First Named Inventor Gary VAN NEST

Group Art Unit 1635

Examiner Name R. Schnizer, Ph.D.

Total Number of Pages in This Submission

11

Attorney Docket Number 377882000900

## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☒ Amendment/Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below)

Return Receipt Postcard

Remarks



25225

PATENT, TRADEMARK OFFICE

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name

MORRISON & FOERSTER LLP  
Karen Zachow - 46,332

Signature

*Karen R Zachow*

Date

June 18, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Date: 6-18-03

Signature: *Rhea Amid* (Rhea Amid)



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop: Non-Fee Amendment, Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 6-18-03

Signature: Rhea Amid  
(Rhea Amid)

#19/K.T.  
6/26  
Docket No.: 377882000900  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Gary VAN NEST

Application No.: 09/802,686

Group Art Unit: 1635

Filed: March 9, 2001

Examiner: R. Schnizer, Ph.D.

For: METHODS OF PREVENTING AND  
TREATING RESPIRATORY VIRAL  
INFECTION USING  
IMMUNOMODULATORY  
POLYNUCLEOTIDE SEQUENCES

AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.111

Mail Stop Non-Fee Amendment  
Commission for Patents  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the non-final Office Action dated March 20, 2003 in connection with the above-identified application. A response to this action is due on or before June 20, 2003. Accordingly, this response is timely filed.

Applicant has given careful consideration to the grounds for rejection. The following amendments and remarks are believed to place this application in condition for allowance, which is respectfully requested.

RECEIVED  
JUN 25 2003  
TECH CENTER 1600/2900